

In Re Application Of: Shim, et al.

Group No.: TBD

Serial No.: 10/550,525

International Application No.: PCT/US04/09570

Docket No. 050508-1370

International Filing Date: March 26, 2004

For: **CXCR4 Antagonists and Methods of Their Use**

RESPONSE TO NOTICE OF ABANDONMENT

Mail Stop PCT (DO/EO/US)
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

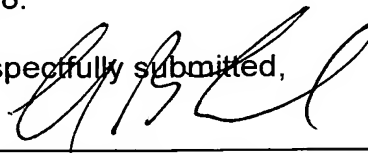
In response to the Notice of Abandonment mailed on February 26, 2007, Applicants herewith submit the Sequence Listing; Sequence Listing on diskette; Statement Regarding the Sequence Listing.

In addition, enclosed are copies of the prior submissions of the sequence listing as well as proof of receipt by the United States Patent and Trademark Office.

Applicant respectfully requests that the Notice of Abandonment be withdrawn.

It is not believed that any further fees are required. However, if the Office believes that any additional fees may be required, the Office is authorized to charge any deficiency to Deposit Account No. 20-0778.

Respectfully submitted,



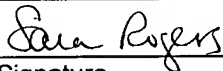
Christopher B. Linder, Reg. No. 47,751

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV861590356US, postage prepaid, in an envelope addressed to: Mail Stop PCT (DO/EO/US), Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450,

on

02 March 2007



Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Shim, et al.

Group No.: TBD

Serial No.: 10/550,525

International Application No.: PCT/US04/09570

Docket No. 050508-1370

International Filing Date: March 26, 2004

For: **CXCR4 Antagonists and Methods of Their Use**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop PCT (DO/EO/US)
Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In Response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office, dated May 11, 2006, please find enclosed:

1. Executed Declaration;
2. Sequence Listing w/diskette;
3. Statement Regarding Sequence Listing;
4. Petition for Extension of Time; and
5. a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office; and
6. Credit Card Payment form in the amount of \$60.00.

The Notification of Missing Requirements also requests that an additional \$25 be submitted for additional claims. All fees were submitted at the time of filing this application (21 claims with 4 independent claims); therefore, we do not believe that additional fees are necessary. However, the Commissioner is authorized to charge Deposit Account 20-0778 for any deficiencies or credit any over payments.

Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By: _____


Christopher B. Linder, Reg. No. 47,751

Suite 1750, 100 Galleria Parkway
Atlanta, Georgia 30339-5948
(770) 933-9500



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/550,525	FIRST NAMED APPLICANT Hyunsuk Shim	ATTY. DOCKET NO. 050508-1370
INTERNATIONAL APPLICATION NO. PCT/US04/09570		
I.A. FILING DATE 03/26/2004	PRIORITY DATE 03/27/2003	

Linder, Christopher B
 Thomas Kayden Horstemeyer & Risley
 100 Galleria Parkway, N.W., Suite 1750
 Atlanta, GA 30339-5948

CONFIRMATION NO. 8344

**371
 ABANDONMENT/TERMINATION
 LETTER**

OC000000022641753

Date Mailed: 02/26/2007

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 05/11/2006 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,525	Hyunsuk Shim	050508-1370

INTERNATIONAL APPLICATION NO.	
PCT/US04/09570	
LA. FILING DATE	PRIORITY DATE
03/26/2004	03/27/2003

Linder, Christopher B
 Thomas Kayden Horstemeyer & Risley
 100 Galleria Parkway, N.W., Suite 1750
 Atlanta, GA 30339-5948

CONFIRMATION NO. 8344

371 FORMALITIES LETTER



OC000000021285614

Date Mailed: 11/20/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/22/2005
- Copy of the International Search Report filed on 09/22/2005
- Preliminary Amendments filed on 09/22/2005
- Information Disclosure Statements filed on 09/22/2005
- Biochemical Sequence Diskette filed on 09/22/2005
- Oath or Declaration filed on 08/11/2006
- Biochemical Sequence Listing filed on 09/22/2005
- U.S. Basic National Fees filed on 09/22/2005
- Priority Documents filed on 09/22/2005
- Specification filed on 09/22/2005
- Claims filed on 09/22/2005
- Abstracts filed on 09/22/2005
- Drawings filed on 09/22/2005

DOCKETED
 Corrected amdmnt due 12/20/06

Applicant's response filed 08/11/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/11/2006 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$25 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

THOMAS, KAYDEN
 HORSTEMEYER & RISLEY, L.L.P.

NOV 27 2006

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$25 for a Small Entity:

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136; but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$ 25

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,525	PCT/US04/09570	050508-1370

Serial No. 10/550,525

Filing Date: 9/22/05

Patent No.

Issue Date:

Applicant: Shim, et al.

Title: CXCR4 Antagonists and Methods of Their Use

Docket No.: 050508-1370

C/M Date: 12/11/06

EM No: EV861590400US

Due Date: 12/20/06

PATENT AND TRADEMARK OFFICE
STAMP HEREON ACKNOWLEDGES
RECEIPT OF THE BELOW IDENTIFIED
PAPERS:

Cert. of Mailing: ☐ Regular US Mail
☒ Express Mail

Fees ☒ \$25.00

Pymt ☐ Check

Form ☒ Dep. Acct: 20-0778

☐ Credit Card Paym't Form

☐ Fee Transmittal Page

- ☐ RCE Application Transmittal Pg.
- ☐ Missing Requirements Response
- ☒ Copy of Defective Response Notice
- ☒ Resp. to Notice of Defective
- ☐ Copy - Not. Incomplete Appl. Papers
- ☐ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited References Attached ()
- ☐ Assignment/Assign't Cover Sheet
- ☐ Terminal Disclaimer
- ☐ Amendment Transmittal Page
- ☐ Amendment: ☐ Restriction
- ☐ Non-Final ☐ Final
- ☐ After Not. Allow ☐ Unentered
- ☐ Response to Advisory Action
- ☐ Petition for EOT to:

USPTO STAMP

- ☐ Request to Rescind Non-Pub.
- ☐ Petition to Make Special
- ☐ Status Inquiry
- ☐ Notice of Appeal
- ☐ Appeal Brief (in Triplicate)
- ☐ Request for Refund
- ☐ Request for Correction F/R
- ☐ Notice of Continuation Applic.
- ☐ Issue Fee Trx. ☐ In Dupl.
- ☐ Sheets of Drawings
- ☐ Formal ☐ Informal
- ☐ Letter/Trx. To Draftsman
- ☐ Prior to NOA ☐ W/I NOA
- ☐ Request for Cert. Of Correct.
- ☐ Certificate of Correction x 2
- ☐ Maintenance Fee Transmittal
- ☐ 3.5 ☐ 7.5 ☐ 11.5
- ☐ in duplicate

☒ Other: Statement Re Sequence Listing; Sequence Listing w/Diskette

Person Mailing: SAR

Responsible Atty: CBL

DOCKETED

DOCKETED

EV861590400US

Serial No. 10/550,525 Filing Date 9/22/05
 Patent No. Issue Date
 Applicant: Shim, et al.
 Title: CXCR4 Antagonists and Methods of Their Use
 Docket No.: 050508-1370 C/M Date: 8/11/06
 EM No.: EV749201497US Due Date: 7/11/06

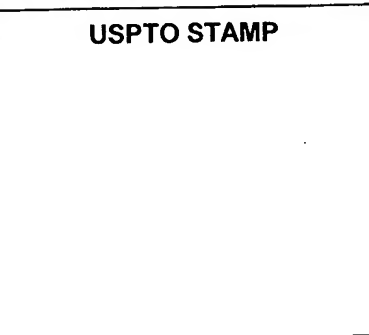
DOCKETED

**PATENT AND TRADEMARK OFFICE
 STAMP HEREON ACKNOWLEDGES
 RECEIPT OF THE BELOW IDENTIFIED
 PAPERS:**

Cert. of Mailing: ☐ Regular US Mail
☒ Express Mail

Fees ☒ \$60.00
Pymt ☐ Check
Form ☐ Dep. Acct:
☒ Credit Card Paym't Form
☐ Fee Transmittal Page

- ☐ RCE Application Transmittal Pg.
- ☒ Missing Requirements Response
- ☒ Copy of Missing Requirements Notice
- ☐ Resp. Incomplete Application Papers
- ☐ Copy - Not. Incomplete Appl. Papers
- ☒ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited References Attached ()
- ☐ Assignment/Assign't Cover Sheet
- ☐ Terminal Disclaimer
- ☐ Amendment Transmittal Page
- ☐ Amendment: ☐ Restriction
- ☐ Non-Final ☐ Final
- ☐ After Not. Allow ☐ Unentered
- ☐ Response to Advisory Action
- ☒ Petition for EOT to: 8/11/06



- ☐ Request to Rescind Non-Pub.
- ☐ Petition to Make Special
- ☐ Status Inquiry
- ☐ Notice of Appeal
- ☐ Appeal Brief (in Triplicate)
- ☐ Request for Refund
- ☐ Request for Correction F/R
- ☐ Notice of Continuation Applic.
- ☐ Issue Fee Trx. ☐ In Dupl.
- ☐ Sheets of Drawings
- ☐ Formal ☐ Informal
- ☐ Letter/Trx. To Draftsman
- ☐ Prior to NOA ☐ W/I NOA
- ☐ Request for Cert. Of Correct.
- ☐ Certificate of Correction x 2
- ☐ Maintenance Fee Transmittal
- ☐ 3.5 ☐ 7.5 ☐ 11.5
- ☐ in duplicate

☒ Other: Statement Re Sequence Listing; Sequence Listing w/Diskette

Person Mailing: SAR

Responsible Atty: CBL

DOCKETED

EV749201497US

PATENTS
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Shim, et al.

Group No.: TBD

Serial No.: 10/550,525

International Application No.: PCT/US04/09570

Docket No. 050508-1370

International Filing Date: March 26, 2004

For: **CXCR4 Antagonists and Methods of Their Use**

CERTIFICATE OF EXPRESS MAIL

Mail Stop PCT (EO/DO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard
Response to Notification of Missing Requirements
Declaration and Power of Attorney
Sequence Listing w/diskette
Statement Regarding Sequence Listing;
Petition for Extension of Time;
Credit Card Payment Form in the amount of \$60.00

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Respectfully submitted,



Christopher B. Linder, Reg. No. 47,751

THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.
100 Galleria Parkway, N.W.
Suite 1750
Atlanta, Georgia 30339-5948
Our Docket No: 050508-1370

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # EV749201497US.

Date: 8/11/06



Sara Rogers